

K1008/20399

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicants : Douglas G. Evans and John E. Nash
Serial No. : 09/369,107
Filed : August 5, 1999
For : TRANSMYOCARDIAL
REVASCULARIZATION
SYSTEM AND METHOD OF USE
Group : 3731
Examiner : Kevin Truong

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ELECTION OF INVENTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Election of Invention is responsive to the Office Action dated February 2, 2000 requiring applicant to elect to prosecute claims drawn to the invention of Group I (namely, Claims 1 - 19) or the invention of Group II (namely, Claims 20 - 32).

Pursuant to that restriction requirement the Applicants hereby elect to prosecute the Claims 1 - 19, with Claims 20 - 32 of Group II being held in abeyance. This election is being made without traverse.

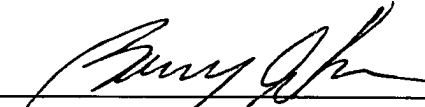
It is respectfully submitted that the aforementioned elected claims in this application are allowable and such favorable action is respectfully requested.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

February 22, 2000

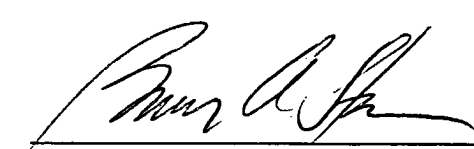
By



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CERTIFICATE OF MAILING

I hereby certify that the foregoing ELECTION OF INVENTION re Application Serial No. 09/369,107 is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this 22nd day of February, 2000.



Barry A. Stein